

**Town of Bethany Beach
Planning Commission Minutes
May 17, 2008**

The Bethany Beach Planning Commission held a meeting on Saturday, May 17, 2008 in the Bethany Beach Town Hall, 214 Garfield Parkway, Bethany Beach, DE 19930.

The following members were present: Lew Killmer, who presided; Donald Doyle, Fulton Loppatto, Faith Denault, Tony McClenny and Kathleen Mink.

Also present: Mayor Carol Olmstead, Councilman Joseph Healy, John Eckrich, Building Inspector, Seville Pettit, Administrative Secretary and interested members of the public.

The meeting was called to order at 9:06 a.m.

OPENING OF MEETING

Approval of Agenda

Ms. Mink made a motion to approve the agenda. The motion was seconded by Ms. Denault and unanimously approved.

Discussion/ Approval of the Planning Commission Minutes of April 19, 2008

Mr. Doyle made a motion to approve the amended minutes April 19, 2008. The motion was seconded by Mr. Loppatto and unanimously approved.

Announcements/ Comments/ Updates

Commercial Design Review Update (McClenny/ Killmer)

Mr. McClenny reported there were two meetings held on May 9, 2008. The first applicant, Sunsations proposed to reconstruct and replace the existing canopy and sign, which were approved by the Commercial Design Review Committee with no restrictions or conditions. The second applicant, Connors Mall LLC proposed to place an additional pole sign on the property for the three newly constructed stores, which was also approved with no restrictions or conditions.

The applicant for the Connors Mall LLC was cautioned there is a pending ordinance that prohibits the continued use of all existing of pole signs.

Mr. McClenny informed the Planning Commission members that there would be two meetings of the CDRC on May 23, 2008. Mrs. Carol Schultz, owner of the golf course is requesting a new sign and the applicant Kent Sign's is requesting an awning sign for Rita's located in the Connor Mall.

Comments/ Updates Regarding the May Town Council Meeting (All)

Mr. Killmer reported there was a public hearing on three proposals from the Planning Commission, one being an update to the Dead-End Streets ordinance and the second being the creation on an “Official Town Map”, which both will be voting on at the Town Council’s June meeting.

The third public hearing the Town Council decided to revisit the document concerning the Non-Conforming Use Ordinance to determine if it has any negative influence on historic properties in the Town of Bethany Beach.

Comments, Q&A and Discussion for Planning Commissioner Members

There was no discussion at this time.

PUBLIC COMMENT/ QUESTIONS FOR THE PLANNING COMMISSION

Mr. Dan Costello expressed after reading the Non-Conforming Use updated ordinance there were a number of areas that were unclear to him.

Ms. Mink suggested that Mr. Costello provide the Planning Commission members with specific areas that were unclear or are a concern to him so that the Planning Commission could review and if appropriate modify the proposed updated ordinance.

NEW BUSINESS

Review List of Items Requested by Design Review Committee Prior to the Scheduling of a Design Review (McClenny/Killmer)

Mr. Killmer stated that the he met with the Building Inspector to produce a document to clarify what the applicant needs to provide to committee prior to scheduling a meeting of the committee.

The Planning Commission members discussed the Design Review Committee list of requested items prior to the scheduled meeting.

Ms. Denault made a motion to approve the Commercial Design Review document as presented. The motion was seconded by Ms. Mink and unanimously approved.

Kathleen Mink’s Update Recommendations to the 2005 Comprehensive Plan

Ms. Mink advised that the document was reviewed to specify the action items for the Planning Commission. The document that was provided to the Planning Commission members is the updates of each recommendation and the status of the recommendation.

The Planning Commission members reviewed the update recommendations to the 2005 Comprehensive Plan.

Develop a List For Future Projects/Reviews (All)

Mr. Killmer suggested the Planning Commission members generate a list of future planning related projects. The projects will be prioritized with individual Planning Commission members assigned as the lead investigator for each project.

The Planning Commission members briefly discussed possible future projects to review. For example: Green Technology, Wind Turbines, Solar Panels, Geo-Thermal heat pumps, etc.

OLD BUSINESS

Review of Changes Proposed for Chapter 245 from Article XIII to Article XIX (All)

Mr. Killmer provided the Planning Commission members with the Planning Commission approved changes proposed for Chapter 245 from Article XIII to Article XIX.

The Planning Commission members reviewed the final changes to Chapter 245.

[Further Discuss Certificate of Occupancy Proposed Changes (§245-92)]

Mr. Killmer provided the Planning Commission members with information about Certificate of Occupancy and the proposed changes.

There was some discussion of the proposed changes to the Certificate of Occupancy, which led to a discussion about rental properties and a compliance letter for each.

ADJOURN

Mr. Doyle made a motion to adjourn. The motion was seconded by Ms. Denault and unanimously approved. The meeting was adjourned at 11:50 a.m.

Respectfully Submitted,

Seville Pettit
Administrative Secretary

PLANNING COMMISSION
ACTION ITEMS
MAY 17, 2008

1. Mr. Killmer to write Mr. Terrance Jaywork, Town Solicitor a letter regarding wetlands.
2. Mr. Killmer to make changes to Chapter 245-82 through Chapter 245-109.
3. Planning Commission members to generate a list for future projects.